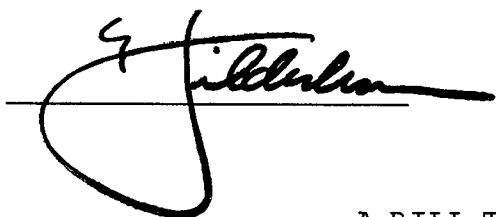


I certify this to be a true and correct
copy of the indicated document as
referred or transmitted to committee.

Chief Clerk of the House

FILED MAR 04 2005

By:



H.B. No. 2027

A BILL TO BE ENTITLED

AN ACT

relating to the discharge of certain firearms in or on the beds or
banks of certain rivers and streams in Dimmit, Frio, Uvalde, and
Zavala Counties; providing a penalty.

BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF TEXAS:

SECTION 1. Title 7, Parks and Wildlife Code, is amended by
adding Chapter 284 to read as follows:

CHAPTER 284. DIMMIT, FRIO, UVALDE, AND ZAVALA COUNTIES

Sec. 284.001. DISCHARGE OF FIREARM PROHIBITED. (a) In this
section:

(1) "Firearm" has the meaning assigned by Section
62.014.

(2) "Navigable river or stream" has the meaning
assigned by Section 90.001.

(b) This section applies only to a navigable river or stream
located wholly or partly in Dimmit, Frio, Uvalde, or Zavala County.

(c) Except as provided by Subsection (d), a person may not
discharge a firearm or shoot an arrow from any kind of bow if:

(1) the person is located in or on the bed or bank of a
navigable river or stream at the time the firearm is discharged or
the arrow is shot from the bow; or

(2) any portion of the ammunition discharged or arrow
shot could physically contact the bed or bank of a navigable river
or stream.

0088

1 (d) This section does not apply to:

2 (1) an individual acting in the scope of the
3 individual's duties as a peace officer or department employee; or

4 (2) the discharge of a shotgun loaded with ammunition
5 that releases only shot when discharged.

6 (e) This section does not limit the ability of a license
7 holder to carry a concealed handgun under the authority of
8 Subchapter H, Chapter 411, Government Code.

9 SECTION 2. This Act takes effect September 1, 2005.

HOUSE COMMITTEE REPORT

05 APR 19 PM 11: 07
HOUSE OF REPRESENTATIVES

1st Printing

By: Hilderbran

H.B. No. 2027

Substitute the following for H.B. No. 2027:

By: Hilderbran

C.S.H.B. No. 2027

A BILL TO BE ENTITLED

AN ACT

relating to the use of certain weapons in or on the beds or banks of certain rivers and streams in particular counties; providing a penalty.

BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF TEXAS:

SECTION 1. Title 7, Parks and Wildlife Code, is amended by adding Chapter 284 to read as follows:

CHAPTER 284. DIMMIT, EDWARDS, FRIO, KENEDY, KERR, KIMBLE, LLANO,

MASON, MAVERICK, REAL, UVALDE, AND ZAVALA COUNTIES

Sec. 284.001. DISCHARGE OF FIREARM PROHIBITED. (a) In this section:

(1) "Firearm" has the meaning assigned by Section 62.014.

(2) "Navigable river or stream" has the meaning assigned by Section 90.001.

(b) This section applies only to a navigable river or stream located wholly or partly in Dimmit, Edwards, Frio, Kenedy, Kerr, Kimble, Llano, Mason, Maverick, Real, Uvalde, or Zavala County.

(c) Except as provided by Subsection (d), a person may not discharge a firearm or shoot an arrow from any kind of bow if:

(1) the person is located in or on the bed or bank of a navigable river or stream at the time the firearm is discharged or the arrow is shot from the bow; or

(2) any portion of the ammunition discharged or arrow

1 shot could physically contact the bed or bank of a navigable river
2 or stream.

3 (d) This section does not apply to:

4 (1) an individual acting in the scope of the
5 individual's duties as a peace officer or department employee; or

6 (2) the discharge of a shotgun loaded with ammunition
7 that releases only shot when discharged.

8 (e) This section does not limit the ability of a license
9 holder to carry a concealed handgun under the authority of
10 Subchapter H, Chapter 411, Government Code.

11 SECTION 2. This Act takes effect September 1, 2005.

COMMITTEE REPORT

The Honorable Tom Craddick
Speaker of the House of Representatives

4/12/09
(date)

Sir:

We, your COMMITTEE ON CULTURE, RECREATION, AND TOURISM

to whom was referred H.B. 2027 have had the same under consideration and beg to report back with the recommendation that it

- ☐ do pass, without amendment.
- ☐ do pass, with amendment(s).
- ☒ do pass and be not printed; a Complete Committee Substitute is recommended in lieu of the original measure.
- ☒ yes ☐ no A fiscal note was requested.
- ☒ yes ☐ no A criminal justice policy impact statement was requested.
- ☐ yes ☒ no An equalized educational funding impact statement was requested.
- ☐ yes ☒ no An actuarial analysis was requested.
- ☐ yes ☒ no A water development policy impact statement was requested.
- ☐ yes ☒ no A tax equity note was requested.
- ☒ The Committee recommends that this measure be sent to the Committee on Local and Consent Calendars.

For Senate Measures: House Sponsor _____

Joint Sponsors: _____ / _____ / _____

Co-Sponsors: _____

The measure was reported from Committee by the following vote:

	AYE	NAY	PNV	ABSENT
Hilderbran, Chair	<input checked="" type="checkbox"/>			
Kuempel, Vice-chair				<input checked="" type="checkbox"/>
Baxter				<input checked="" type="checkbox"/>
Dukes				<input checked="" type="checkbox"/>
Dunnam	<input checked="" type="checkbox"/>			
Gallego	<input checked="" type="checkbox"/>			
Phillips	<input checked="" type="checkbox"/>			

Total 4 aye
 0 nay
 0 present, not voting
 3 absent

G. J. Hilderbran
CHAIR

BILL ANALYSIS

C.S.H.B. 2027
By: Hilderbran
Culture, Recreation, & Tourism
Committee Report (Substituted)

BACKGROUND AND PURPOSE

Currently, a person may hunt the state-owned riverbeds in various counties. CS HB 2027 would make it an offense to discharge a firearm or shoot an arrow from any kind of bow if the person is located in or on the bed or bank of a navigable river or stream or if any portion of the ammunition discharged or arrow shot could physically contact the bed or bank of a navigable river or stream. This bill does not apply to the discharge of a shotgun loaded with ammunition that releases only shot when discharged. CS HB 2027 would restrict hunters from hunting any species except migratory game birds and other species, such as quail, rabbits and squirrels that are normally hunted with a shotgun and shot in or on the bed or bank of a navigable river or stream in various counties. This bill would also prohibit "plinking" or target practice in those areas with a rifle or handgun.

RULEMAKING AUTHORITY

It is the committee's opinion that this bill does not expressly grant any additional rulemaking authority to a state officer, department, agency, or institution.

ANALYSIS

SECTION 1. This section would amend Title 7, Parks and Wildlife Code (Local and Special Laws), by adding Chapter 284. Subsection (a)(1) defines firearm to mean the same as defined in Texas Parks and Wildlife Code, Section 62.014. Subsection (a)(2) defines navigable river or stream to mean the same as defined in Texas Parks and Wildlife Code, Section 90.001. Subsection (b) notes that this section applies only to a navigable river or stream located wholly or partly in Dimmit, Frio, Uvalde, or Zavala County. Subsection (c) makes it an offense to discharge a firearm or shoot an arrow from any kind of bow if (1) the person is located in or on the bed or bank of a navigable river or stream or (2) any portion of the ammunition discharged or arrow shot could physically contact the bed or bank of a navigable river or stream. Subsection (d) states that this section does not apply to (1) an individual acting in the scope of the individual's duties as a peace officer or department employee or (2) the discharge of a shotgun loaded with ammunition that releases only shot when discharged. Subsection (e) states that this section does not limit the ability of a license holder to carry a concealed handgun under the authority of Subchapter H, Chapter 411, Government Code.

SECTION 2. This Act takes effect September 1, 2005.

EFFECTIVE DATE

This Act takes effect September 1, 2005.

COMPARISON OF ORIGINAL TO SUBSTITUTE

C.S.H.B. 2027 creates a legislative council draft for H.B. 2027.

This substitute adds the counties of Edwards, Kenedy, Kerr, Kimble, Llano, Mason, Maverick, and Real.

SUMMARY OF COMMITTEE ACTION

HB 2027

March 29, 2005 1:30PM or upon final adjourn./recess

Considered in public hearing
Testimony taken in committee (See attached witness list.)
Left pending in committee

April 12, 2005 1:30PM or upon final adjourn./recess

Considered in public hearing
Committee substitute considered in committee
Recommended to be sent to Local & Consent
Reported favorably as substituted

WITNESS LIST

HB 2027
HOUSE COMMITTEE REPORT
Culture, Recreation, & Tourism Committee

March 29, 2005 - 1:30PM or upon final adjourn./recess

For: Brown, Kirby (Texas Wildlife Association)
Dullnig, Bobby (Self)
Marmion, James R. (Self)
McLean Bowman, Marrs (Self)

Registering, but not testifying:

For: McSween III, Paul (Self and Families from Zavala
County)

LEGISLATIVE BUDGET BOARD

Austin, Texas

FISCAL NOTE, 79TH LEGISLATIVE REGULAR SESSION

April 19, 2005

TO: Honorable Harvey Hilderbran, Chair, House Committee on Culture, Recreation, & Tourism

FROM: John S. O'Brien, Deputy Director, Legislative Budget Board

IN RE: HB2027 by Hilderbran (Relating to the use of certain weapons in or on the beds or banks of certain rivers and streams in particular counties; providing a penalty.), Committee Report 1st House, Substituted

No fiscal implication to the State is anticipated.

The bill would prohibit the discharge of a firearm or an arrow from any kind of bow in certain locations along a navigable river or stream in Dimmit, Edwards, Frio, Kenedy, Kerr, Kimble, Llano, Mason, Maverick, Real, Uvalde, or Zavala counties. The prohibitions would not apply to an individual acting within the scope of their duties as a peace officer or department employee or to the discharge of a shotgun loaded with ammunition that releases only shot when discharged. The bill would take effect September 1, 2005.

Local Government Impact

No significant fiscal implication to units of local government is anticipated.

Source Agencies:

LBB Staff: JOB, WK, DLBa

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LEGISLATIVE BUDGET BOARD
Austin, Texas

FISCAL NOTE, 79TH LEGISLATIVE REGULAR SESSION

March 25, 2005

TO: Honorable Harvey Hilderbran, Chair, House Committee on Culture, Recreation, & Tourism

FROM: John S. O'Brien, Deputy Director, Legislative Budget Board

IN RE: **HB2027** by Hilderbran (Relating to the discharge of certain firearms in or on the beds or banks of certain rivers and streams in Dimmit, Frio, Uvalde, and Zavala Counties; providing a penalty.), **As Introduced**

No fiscal implication to the State is anticipated.

The bill would prohibit the discharge of a firearm or an arrow from any kind of bow in certain locations along a navigable river or stream in Dimmit, Frio, Uvalde, or Zavala counties. The prohibitions would not apply to an individual acting within the scope of their duties as a peace officer or department employee or to the discharge of a shotgun loaded with ammunition that releases only shot when discharged. The bill would take effect September 1, 2005.

Local Government Impact

No significant fiscal implication to units of local government is anticipated.

Source Agencies:

LBB Staff: JOB, WK, DLBa

LEGISLATIVE BUDGET BOARD
Austin, Texas

CRIMINAL JUSTICE IMPACT STATEMENT

79TH LEGISLATIVE REGULAR SESSION

April 19, 2005

TO: Honorable Harvey Hilderbran, Chair, House Committee on Culture, Recreation, & Tourism

FROM: John S. O'Brien, Deputy Director, Legislative Budget Board

IN RE: **HB2027** by Hilderbran (Relating to the use of certain weapons in or on the beds or banks of certain rivers and streams in particular counties; providing a penalty.), **Committee Report 1st House, Substituted**

No significant impact on the programs and workload of state corrections agencies or on the demand for resources and services of those agencies is anticipated from any provisions of this bill that authorize or require a change in the sanctions applicable to adults convicted of felony crimes.

Source Agencies:

LBB Staff: JOB, GG

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LEGISLATIVE BUDGET BOARD
Austin, Texas

CRIMINAL JUSTICE IMPACT STATEMENT

79TH LEGISLATIVE REGULAR SESSION

March 25, 2005

TO: Honorable Harvey Hilderbran, Chair, House Committee on Culture, Recreation, & Tourism

FROM: John S. O'Brien, Deputy Director, Legislative Budget Board

IN RE: HB2027 by Hilderbran (Relating to the discharge of certain firearms in or on the beds or banks of certain rivers and streams in Dimmit, Frio, Uvalde, and Zavala Counties; providing a penalty.), As Introduced

No significant impact on the programs and workload of state corrections agencies or on the demand for resources and services of those agencies is anticipated from any provisions of this bill that authorize or require a change in the sanctions applicable to adults convicted of felony crimes.

Source Agencies:

LBB Staff: JOB, GG

F

HOUSE ENGROSSMENT

By: Hilderbran

H.B. No. 2027

A BILL TO BE ENTITLED

AN ACT

relating to the use of certain weapons in or on the beds or banks of certain rivers and streams in particular counties; providing a penalty.

BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF TEXAS:

SECTION 1. Title 7, Parks and Wildlife Code, is amended by adding Chapter 284 to read as follows:

CHAPTER 284. DIMMIT, EDWARDS, FRIO, KENEDY, KERR, KIMBLE, LLANO, MASON, MAVERICK, REAL, UVALDE, AND ZAVALA COUNTIES

Sec. 284.001. DISCHARGE OF FIREARM PROHIBITED. (a) In this section:

(1) "Firearm" has the meaning assigned by Section 62.014.

(2) "Navigable river or stream" has the meaning assigned by Section 90.001.

(b) This section applies only to a navigable river or stream located wholly or partly in Dimmit, Edwards, Frio, Kenedy, Kerr, Kimble, Llano, Mason, Maverick, Real, Uvalde, or Zavala County.

(c) Except as provided by Subsection (d), a person may not discharge a firearm or shoot an arrow from any kind of bow if:

(1) the person is located in or on the bed or bank of a navigable river or stream at the time the firearm is discharged or the arrow is shot from the bow; or

(2) any portion of the ammunition discharged or arrow

1 shot could physically contact the bed or bank of a navigable river
2 or stream.

3 (d) This section does not apply to:

4 (1) an individual acting in the scope of the
5 individual's duties as a peace officer or department employee; or

6 (2) the discharge of a shotgun loaded with ammunition
7 that releases only shot when discharged.

8 (e) This section does not limit the ability of a license
9 holder to carry a concealed handgun under the authority of
10 Subchapter H, Chapter 411, Government Code.

11 SECTION 2. This Act takes effect September 1, 2005.

LEGISLATIVE BUDGET BOARD

Austin, Texas

FISCAL NOTE, 79TH LEGISLATIVE REGULAR SESSION

April 19, 2005

TO: Honorable Harvey Hilderbran, Chair, House Committee on Culture, Recreation, & Tourism

FROM: John S. O'Brien, Deputy Director, Legislative Budget Board

IN RE: HB2027 by Hilderbran (Relating to the use of certain weapons in or on the beds or banks of certain rivers and streams in particular counties; providing a penalty.), Committee Report 1st House, Substituted

No fiscal implication to the State is anticipated.

The bill would prohibit the discharge of a firearm or an arrow from any kind of bow in certain locations along a navigable river or stream in Dimmit, Edwards, Frio, Kenedy, Kerr, Kimble, Llano, Mason, Maverick, Real, Uvalde, or Zavala counties. The prohibitions would not apply to an individual acting within the scope of their duties as a peace officer or department employee or to the discharge of a shotgun loaded with ammunition that releases only shot when discharged. The bill would take effect September 1, 2005.

Local Government Impact

No significant fiscal implication to units of local government is anticipated.

Source Agencies:

LBB Staff: JOB, WK, DLBa

LEGISLATIVE BUDGET BOARD
Austin, Texas

FISCAL NOTE, 79TH LEGISLATIVE REGULAR SESSION

March 25, 2005

TO: Honorable Harvey Hilderbran, Chair, House Committee on Culture, Recreation, & Tourism

FROM: John S. O'Brien, Deputy Director, Legislative Budget Board

IN RE: HB2027 by Hilderbran (Relating to the discharge of certain firearms in or on the beds or banks of certain rivers and streams in Dimmit, Frio, Uvalde, and Zavala Counties; providing a penalty.), **As Introduced**

No fiscal implication to the State is anticipated.

The bill would prohibit the discharge of a firearm or an arrow from any kind of bow in certain locations along a navigable river or stream in Dimmit, Frio, Uvalde, or Zavala counties. The prohibitions would not apply to an individual acting within the scope of their duties as a peace officer or department employee or to the discharge of a shotgun loaded with ammunition that releases only shot when discharged. The bill would take effect September 1, 2005.

Local Government Impact

No significant fiscal implication to units of local government is anticipated.

Source Agencies:

LBB Staff: JOB, WK, DLBa

LEGISLATIVE BUDGET BOARD

Austin, Texas

CRIMINAL JUSTICE IMPACT STATEMENT

79TH LEGISLATIVE REGULAR SESSION

April 19, 2005

TO: Honorable Harvey Hilderbran, Chair, House Committee on Culture, Recreation, & Tourism

FROM: John S. O'Brien, Deputy Director, Legislative Budget Board

IN RE: **HB2027** by Hilderbran (Relating to the use of certain weapons in or on the beds or banks of certain rivers and streams in particular counties; providing a penalty.), **Committee Report 1st House, Substituted**

No significant impact on the programs and workload of state corrections agencies or on the demand for resources and services of those agencies is anticipated from any provisions of this bill that authorize or require a change in the sanctions applicable to adults convicted of felony crimes.

Source Agencies:

LBB Staff: JOB, GG

LEGISLATIVE BUDGET BOARD
Austin, Texas

CRIMINAL JUSTICE IMPACT STATEMENT

79TH LEGISLATIVE REGULAR SESSION

March 25, 2005

TO: Honorable Harvey Hilderbran, Chair, House Committee on Culture, Recreation, & Tourism

FROM: John S. O'Brien, Deputy Director, Legislative Budget Board

IN RE: **HB2027** by Hilderbran (Relating to the discharge of certain firearms in or on the beds or banks of certain rivers and streams in Dimmit, Frio, Uvalde, and Zavala Counties; providing a penalty.), **As Introduced**

No significant impact on the programs and workload of state corrections agencies or on the demand for resources and services of those agencies is anticipated from any provisions of this bill that authorize or require a change in the sanctions applicable to adults convicted of felony crimes.

Source Agencies:

LBB Staff: JOB, GG

By: Hilderbran (Senate Sponsor - Armbrister) H.B. No. 2027
(In the Senate - Received from the House May 2, 2005;
May 3, 2005, read first time and referred to Committee on Natural
Resources; May 17, 2005, reported adversely, with favorable
Committee Substitute by the following vote: Yeas 9, Nays 0;
May 17, 2005, sent to printer.)

COMMITTEE SUBSTITUTE FOR H.B. No. 2027 By: Seliger

A BILL TO BE ENTITLED
AN ACT

relating to the use of certain weapons in or on the beds or banks of
certain rivers and streams in particular counties; providing a
penalty.

BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF TEXAS:

SECTION 1. Title 7, Parks and Wildlife Code, is amended by
adding Chapter 284 to read as follows:

CHAPTER 284. DIMMIT, EDWARDS, FRIO, KENEDY, KERR, LLANO, MAVERICK,
REAL, UVALDE, AND ZAVALA COUNTIES

Sec. 284.001. DISCHARGE OF FIREARM PROHIBITED. (a) In this
section:

(1) "Firearm" has the meaning assigned by Section
62.014.

(2) "Navigable river or stream" has the meaning
assigned by Section 90.001.

(b) This section applies only to a navigable river or stream
located wholly or partly in Dimmit, Edwards, Frio, Kenedy, Kerr,
Llano, Maverick, Real, Uvalde, or Zavala County.

(c) Except as provided by Subsection (d), a person may not
discharge a firearm or shoot an arrow from any kind of bow if:

(1) the person is located in or on the bed or bank of a
navigable river or stream at the time the firearm is discharged or
the arrow is shot from the bow; or

(2) any portion of the ammunition discharged or arrow
shot could physically contact the bed or bank of a navigable river
or stream.

(d) This section does not apply to:

(1) an individual acting in the scope of the
individual's duties as a peace officer or department employee; or

(2) the discharge of a shotgun loaded with ammunition
that releases only shot when discharged.

(e) This section does not limit the ability of a license
holder to carry a concealed handgun under the authority of
Subchapter H, Chapter 411, Government Code.

SECTION 2. This Act takes effect September 1, 2005.

* * * * *

FAVORABLY AS SUBSTITUTED
SENATE COMMITTEE REPORT ON

SB SCR SJR SR HB HCR HJR 2027
By Hildenbran / Armbrister
(Author/Senate Sponsor)
5-17-05
(date)

We, your Committee on NATURAL RESOURCES, to which was referred the attached measure,
have on 5/12/05, had the same under consideration and I am instructed to report it
(date of hearing)
back with the recommendation (s) that it:

☒ do pass as substituted, and be printed
☒ the caption remained the same as original measure
☐ the caption changed with adoption of the substitute

☐ do pass as substituted, and be ordered not printed

☒ and is recommended for placement on the Local and Uncontested Bills Calendar.

A fiscal note was requested. ☒ yes ☐ no

A revised fiscal note was requested. ☒ yes ☐ no

An actuarial analysis was requested. ☐ yes ☒ no

Considered by subcommittee. ☐ yes ☒ no

The measure was reported from Committee by the following vote:

	YEA	NAY	ABSENT	PNV
Senator Armbrister, Chair	<input checked="" type="checkbox"/>			
Senator Jackson, Vice-Chair	<input checked="" type="checkbox"/>			
Senator Barrientos	<input checked="" type="checkbox"/>			
Senator Duncan			<input checked="" type="checkbox"/>	
Senator Estes	<input checked="" type="checkbox"/>			
Senator Fraser	<input checked="" type="checkbox"/>			
Senator Hinojosa			<input checked="" type="checkbox"/>	
Senator Lindsay	<input checked="" type="checkbox"/>			
Senator Madla	<input checked="" type="checkbox"/>			
Senator Seliger	<input checked="" type="checkbox"/>			
Senator Staples	<input checked="" type="checkbox"/>			
TOTAL VOTES	9	0	2	0

COMMITTEE ACTION

☒ S260 Considered in public hearing
☒ S270 Testimony taken

Kelly C. Helbert
COMMITTEE CLERK

[Signature]
CHAIRMAN

Paper clip the original and one copy of this signed form to the original bill along with TWO copies of the Committee Substitute
Retain one copy of this form for Committee files

WITNESS LIST

HB 2027

SENATE COMMITTEE REPORT

Natural Resources

May 12, 2005 - 1:30PM

FOR: Bowman, McLean (Self), San Antonio, TX
Dullnig, Bobby (Nueces River Authority), San Antonio, TX
McSween, Paul (Tx Wildlife Association), San Antonio, TX

ON: Sinclair, David (Tx Parks and Wildlife Law Enforcement), Austin, TX

Registering, but not testifying:

For: Robinson, John (Self), Austin, TX
Salmon, Stephen J. (Tx Sheep and Goat Raisers Association, Riverside and
Landowners Protection Coalition.), San Angelo, TX

BILL ANALYSIS

Senate Research Center
79R12189 KCR-D

H.B. 2027
By: Hilderbran (Armbrister)
Natural Resources
5/10/2005
Engrossed

AUTHOR'S/SPONSOR'S STATEMENT OF INTENT

Current Texas law permits the discharge of firearms and bows into or on the beds or banks of rivers and streams in certain counties.

H.B. 2027 makes it an offense to discharge a firearm or shoot an arrow from any kind of bow, if the person is located in a specific area. It also restricts hunting of any species, except migratory birds or other specific species that are normally hunted with a shotgun. H.B. 2027 also prohibits target practice in those specific areas with a rifle or handgun.

RULEMAKING AUTHORITY

This bill does not expressly grant any additional rulemaking authority to a state officer, institution, or agency.

SECTION BY SECTION ANALYSIS

SECTION 1. Amends Title 7, Parks and Wildlife Code, by adding Chapter 284, as follows:

CHAPTER 284. DIMMIT, EDWARDS, FRIO, KENEDY, KERR, KIMBLE, LLANO,
MASON, MAVERICK, REAL, UVALDE, AND ZAVALA COUNTIES

Sec. 284.001. DISCHARGE OF FIREARM PROHIBITED. (a) Defines "firearm" and "navigable river or stream."

(b) Sets forth navigable rivers or streams to which this section applies.

(c) Prohibits a person from discharging a firearm or shooting an arrow from any kind of bow in certain situations, except as provided by Subsection (d).

(d) Sets forth the individuals and situations for which this section does not apply.

(e) Provides that this section does not limit the ability of a license holder to carry a concealed handgun under the authority of Subchapter H (License to Carry a Concealed Handgun), Chapter 411, Government Code.

SECTION 2. Effective date: September 1, 2005.

BILL ANALYSIS

Senate Research Center
79R16716 KCR-D

C.S.H.B. 2027
By: Hilderbran (Armbrister)
Natural Resources
5/14/2005
Committee Report (Substituted)

AUTHOR'S/SPONSOR'S STATEMENT OF INTENT

Current Texas law permits the discharge of firearms and bows into or on the beds or banks of rivers and streams in certain counties.

C.S.H.B. 2027 makes it an offense to discharge a firearm or shoot an arrow from any kind of bow, if the person is located in a specific area. It also restricts hunting of any species, except migratory birds or other specific species that are normally hunted with a shotgun. C.S.H.B. 2027 also prohibits target practice in those specific areas with a rifle or handgun.

RULEMAKING AUTHORITY

This bill does not expressly grant any additional rulemaking authority to a state officer, institution, or agency.

SECTION BY SECTION ANALYSIS

SECTION 1. Amends Title 7, Parks and Wildlife Code, by adding Chapter 284, as follows:

CHAPTER 284. DIMMIT, EDWARDS, FRIO, KENEDY, KERR, LLANO, MAVERICK, REAL, UVALDE, AND ZAVALA COUNTIES

Sec. 284.001. DISCHARGE OF FIREARM PROHIBITED. (a) Defines "firearm" and "navigable river or stream."

- (b) Sets forth navigable rivers or streams to which this section applies.
- (c) Prohibits a person from discharging a firearm or shooting an arrow from any kind of bow in certain situations, except as provided by Subsection (d).
- (d) Sets forth the individuals and situations for which this section does not apply.
- (e) Provides that this section does not limit the ability of a license holder to carry a concealed handgun under the authority of Subchapter H (License to Carry a Concealed Handgun), Chapter 411, Government Code.

SECTION 2. Effective date: September 1, 2005.

LEGISLATIVE BUDGET BOARD

Austin, Texas

FISCAL NOTE, 79TH LEGISLATIVE REGULAR SESSION

May 15, 2005

TO: Honorable Kenneth Armbrister, Chair, Senate Committee on Natural Resources

FROM: John S. O'Brien, Deputy Director, Legislative Budget Board

IN RE: HB2027 by Hilderbran (Relating to the use of certain weapons in or on the beds or banks of certain rivers and streams in particular counties; providing a penalty.), **Committee Report 2nd House, Substituted**

No fiscal implication to the State is anticipated.

The bill would prohibit the discharge of a firearm or an arrow from any kind of bow in certain locations along a navigable river or stream in Dimmit, Edwards, Frio, Kenedy, Kerr, Llano, Maverick, Real, Uvalde, or Zavala counties. The prohibitions would not apply to an individual acting within the scope of their duties as a peace officer or department employee or to the discharge of a shotgun loaded with ammunition that releases only shot when discharged.

The bill would take effect September 1, 2005.

Local Government Impact

No significant fiscal implication to units of local government is anticipated.

Source Agencies:

LBB Staff: JOB, DLBa, WK

LEGISLATIVE BUDGET BOARD

Austin, Texas

FISCAL NOTE, 79TH LEGISLATIVE REGULAR SESSION

May 10, 2005

TO: Honorable Kenneth Armbrister, Chair, Senate Committee on Natural Resources

FROM: John S. O'Brien, Deputy Director, Legislative Budget Board

IN RE: HB2027 by Hilderbran (Relating to the use of certain weapons in or on the beds or banks of certain rivers and streams in particular counties; providing a penalty.), **As Engrossed**

<p>No fiscal implication to the State is anticipated.</p>
--

The bill would prohibit the discharge of a firearm or an arrow from any kind of bow in certain locations along a navigable river or stream in Dimmit, Edwards, Frio, Kenedy, Kerr, Kimble, Llano, Mason, Maverick, Real, Uvalde, or Zavala counties. The prohibitions would not apply to an individual acting within the scope of their duties as a peace officer or department employee or to the discharge of a shotgun loaded with ammunition that releases only shot when discharged. The bill would take effect September 1, 2005.

Local Government Impact

No significant fiscal implication to units of local government is anticipated.

Source Agencies:

LBB Staff: JOB, DLBa, WK

LEGISLATIVE BUDGET BOARD
Austin, Texas

FISCAL NOTE, 79TH LEGISLATIVE REGULAR SESSION

April 19, 2005

TO: Honorable Harvey Hilderbran, Chair, House Committee on Culture, Recreation, & Tourism

FROM: John S. O'Brien, Deputy Director, Legislative Budget Board

IN RE: **HB2027** by Hilderbran (Relating to the use of certain weapons in or on the beds or banks of certain rivers and streams in particular counties; providing a penalty.), **Committee Report 1st House, Substituted**

No fiscal implication to the State is anticipated.

The bill would prohibit the discharge of a firearm or an arrow from any kind of bow in certain locations along a navigable river or stream in Dimmit, Edwards, Frio, Kenedy, Kerr, Kimble, Llano, Mason, Maverick, Real, Uvalde, or Zavala counties. The prohibitions would not apply to an individual acting within the scope of their duties as a peace officer or department employee or to the discharge of a shotgun loaded with ammunition that releases only shot when discharged. The bill would take effect September 1, 2005.

Local Government Impact

No significant fiscal implication to units of local government is anticipated.

Source Agencies:

LBB Staff: JOB, WK, DLBa

LEGISLATIVE BUDGET BOARD
Austin, Texas

FISCAL NOTE, 79TH LEGISLATIVE REGULAR SESSION

March 25, 2005

TO: Honorable Harvey Hilderbran, Chair, House Committee on Culture, Recreation, & Tourism

FROM: John S. O'Brien, Deputy Director, Legislative Budget Board

IN RE: **HB2027** by Hilderbran (Relating to the discharge of certain firearms in or on the beds or banks of certain rivers and streams in Dimmit, Frio, Uvalde, and Zavala Counties; providing a penalty.), **As Introduced**

No fiscal implication to the State is anticipated.

The bill would prohibit the discharge of a firearm or an arrow from any kind of bow in certain locations along a navigable river or stream in Dimmit, Frio, Uvalde, or Zavala counties. The prohibitions would not apply to an individual acting within the scope of their duties as a peace officer or department employee or to the discharge of a shotgun loaded with ammunition that releases only shot when discharged. The bill would take effect September 1, 2005.

Local Government Impact

No significant fiscal implication to units of local government is anticipated.

Source Agencies:

LBB Staff: JOB, WK, DLBa

LEGISLATIVE BUDGET BOARD

Austin, Texas

CRIMINAL JUSTICE IMPACT STATEMENT

79TH LEGISLATIVE REGULAR SESSION

April 19, 2005

TO: Honorable Harvey Hilderbran, Chair, House Committee on Culture, Recreation, & Tourism

FROM: John S. O'Brien, Deputy Director, Legislative Budget Board

IN RE: **HB2027** by Hilderbran (Relating to the use of certain weapons in or on the beds or banks of certain rivers and streams in particular counties; providing a penalty.), **Committee Report 1st House, Substituted**

No significant impact on the programs and workload of state corrections agencies or on the demand for resources and services of those agencies is anticipated from any provisions of this bill that authorize or require a change in the sanctions applicable to adults convicted of felony crimes.

Source Agencies:

LBB Staff: JOB, GG

LEGISLATIVE BUDGET BOARD

Austin, Texas

CRIMINAL JUSTICE IMPACT STATEMENT

79TH LEGISLATIVE REGULAR SESSION

March 25, 2005

TO: Honorable Harvey Hilderbran, Chair, House Committee on Culture, Recreation, & Tourism

FROM: John S. O'Brien, Deputy Director, Legislative Budget Board

IN RE: HB2027 by Hilderbran (Relating to the discharge of certain firearms in or on the beds or banks of certain rivers and streams in Dimmit, Frio, Uvalde, and Zavala Counties; providing a penalty.), **As Introduced**

No significant impact on the programs and workload of state corrections agencies or on the demand for resources and services of those agencies is anticipated from any provisions of this bill that authorize or require a change in the sanctions applicable to adults convicted of felony crimes.

Source Agencies:

LBB Staff: JOB, GG

REQUEST FOR LOCAL & UNCONTESTED CALENDAR PLACEMENT

SENATOR CHRIS HARRIS, CHAIRMAN
SENATE COMMITTEE ON ADMINISTRATION

Notice is hereby given that HB 2027, by Hilderbran / Armbrister,
(Bill No) (Author/Sponsor)
was heard by the Committee on Natural Resources on 5/12/05,
2005,

and reported out with the recommendation that it be placed on the Local and Uncontested Calendar.

Holly C. Gilbert
(Clerk of the reporting committee)

IMPORTANT: A COPY OF THIS FORM MUST BE ATTACHED TO A COMMITTEE PRINTED VERSION OF THE BILL OR RESOLUTION AND SHOULD BE DELIVERED TO THE ADMINISTRATION COMMITTEE OFFICE, E1.714. DEADLINES FOR SUBMITTING BILLS AND RESOLUTIONS WILL BE ANNOUNCED ON A REGULAR BASIS.

ADOPTED

MAY 25 2005

Lotay Spaw
Secretary of the Senate

By: Hilderbran

H.B. No 2027

Substitute the following for H.B. No. 2027:

By: Phil Deliger

C.S. B. No.

A BILL TO BE ENTITLED

AN ACT

relating to the use of certain weapons in or on the beds or banks of certain rivers and streams in particular counties; providing a penalty.

BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF TEXAS:

SECTION 1. Title 7, Parks and Wildlife Code, is amended by adding Chapter 284 to read as follows:

CHAPTER 284. DIMMIT, EDWARDS, FRIO, KENEDY, KERR, LLANO, MAVERICK, REAL, UVALDE, AND ZAVALA COUNTIES

Sec. 284.001. DISCHARGE OF FIREARM PROHIBITED. (a) In this section:

(1) "Firearm" has the meaning assigned by Section 62.014.

(2) "Navigable river or stream" has the meaning assigned by Section 90.001.

(b) This section applies only to a navigable river or stream located wholly or partly in Dimmit, Edwards, Frio, Kenedy, Kerr, Llano, Maverick, Real, Uvalde, or Zavala County.

(c) Except as provided by Subsection (d), a person may not discharge a firearm or shoot an arrow from any kind of bow if:

(1) the person is located in or on the bed or bank of a navigable river or stream at the time the firearm is discharged or the arrow is shot from the bow; or

(2) any portion of the ammunition discharged or arrow

1 shot could physically contact the bed or bank of a navigable river
2 or stream.

3 (d) This section does not apply to:

4 (1) an individual acting in the scope of the
5 individual's duties as a peace officer or department employee; or

6 (2) the discharge of a shotgun loaded with ammunition
7 that releases only shot when discharged.

8 (e) This section does not limit the ability of a license
9 holder to carry a concealed handgun under the authority of
10 Subchapter H, Chapter 411, Government Code.

11 SECTION 2. This Act takes effect September 1, 2005.

SENATE AMENDMENTS

MAY 26 PM 12:35

2nd Printing

HOUSE OF REPRESENTATIVES

By: Hilderbran

H.B. No. 2027

A BILL TO BE ENTITLED

AN ACT

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Sec. 284.001. DISCHARGE OF FIREARM PROHIBITED. (a) In this section:

(1) "Firearm" has the meaning assigned by Section 62.014.

(2) "Navigable river or stream" has the meaning assigned by Section 90.001.

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9 holder to carry a concealed handgun under the authority of
10 Subchapter H, Chapter 411, Government Code.

11 SECTION 2. This Act takes effect September 1, 2005.

ADOPTED

MAY 25 2005

Atty. Gen.
Secretary of the Senate

By: Hilderbran

H.B. No. 2027

Substitute the following for H.B. No. 2027:

By: Phil Jeliger

C.S. ____ B. No. ____

A BILL TO BE ENTITLED

AN ACT

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CHAPTER 284. DIMMIT, EDWARDS, FRIO, KENEDY, KERR, LLANO, MAVERICK, REAL, UVALDE, AND ZAVALA COUNTIES

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(1) "Firearm" has the meaning assigned by Section 62.014.

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7 that releases only shot when discharged.

8 (e) This section does not limit the ability of a license
9 holder to carry a concealed handgun under the authority of
10 Subchapter H, Chapter 411, Government Code.

11 SECTION 2. This Act takes effect September 1, 2005.

LEGISLATIVE BUDGET BOARD

Austin, Texas

FISCAL NOTE, 79TH LEGISLATIVE REGULAR SESSION

May 15, 2005

TO: Honorable Kenneth Armbrister, Chair, Senate Committee on Natural Resources

FROM: John S. O'Brien, Deputy Director, Legislative Budget Board

IN RE: HB2027 by Hilderbran (Relating to the use of certain weapons in or on the beds or banks of certain rivers and streams in particular counties; providing a penalty.), **Committee Report 2nd House, Substituted**

No fiscal implication to the State is anticipated.

The bill would prohibit the discharge of a firearm or an arrow from any kind of bow in certain locations along a navigable river or stream in Dimmit, Edwards, Frio, Kenedy, Kerr, Llano, Maverick, Real, Uvalde, or Zavala counties. The prohibitions would not apply to an individual acting within the scope of their duties as a peace officer or department employee or to the discharge of a shotgun loaded with ammunition that releases only shot when discharged.

The bill would take effect September 1, 2005.

Local Government Impact

No significant fiscal implication to units of local government is anticipated.

Source Agencies:

LBB Staff: JOB, DLBa, WK

LEGISLATIVE BUDGET BOARD

Austin, Texas

FISCAL NOTE, 79TH LEGISLATIVE REGULAR SESSION

May 10, 2005

TO: Honorable Kenneth Armbrister, Chair, Senate Committee on Natural Resources

FROM: John S. O'Brien, Deputy Director, Legislative Budget Board

IN RE: HB2027 by Hilderbran (Relating to the use of certain weapons in or on the beds or banks of certain rivers and streams in particular counties; providing a penalty.), **As Engrossed**

No fiscal implication to the State is anticipated.

The bill would prohibit the discharge of a firearm or an arrow from any kind of bow in certain locations along a navigable river or stream in Dimmit, Edwards, Frio, Kenedy, Kerr, Kimble, Llano, Mason, Maverick, Real, Uvalde, or Zavala counties. The prohibitions would not apply to an individual acting within the scope of their duties as a peace officer or department employee or to the discharge of a shotgun loaded with ammunition that releases only shot when discharged. The bill would take effect September 1, 2005.

Local Government Impact

No significant fiscal implication to units of local government is anticipated.

Source Agencies:

LBB Staff: JOB, DLBa, WK

LEGISLATIVE BUDGET BOARD

Austin, Texas

FISCAL NOTE, 79TH LEGISLATIVE REGULAR SESSION

April 19, 2005

TO: Honorable Harvey Hilderbran, Chair, House Committee on Culture, Recreation, & Tourism

FROM: John S. O'Brien, Deputy Director, Legislative Budget Board

IN RE: HB2027 by Hilderbran (Relating to the use of certain weapons in or on the beds or banks of certain rivers and streams in particular counties; providing a penalty.), **Committee Report 1st House, Substituted**

No fiscal implication to the State is anticipated.

The bill would prohibit the discharge of a firearm or an arrow from any kind of bow in certain locations along a navigable river or stream in Dimmit, Edwards, Frio, Kenedy, Kerr, Kimble, Llano, Mason, Maverick, Real, Uvalde, or Zavala counties. The prohibitions would not apply to an individual acting within the scope of their duties as a peace officer or department employee or to the discharge of a shotgun loaded with ammunition that releases only shot when discharged. The bill would take effect September 1, 2005.

Local Government Impact

No significant fiscal implication to units of local government is anticipated.

Source Agencies:

LBB Staff: JOB, WK, DLBa

3

LEGISLATIVE BUDGET BOARD
Austin, Texas

FISCAL NOTE, 79TH LEGISLATIVE REGULAR SESSION

March 25, 2005

TO: Honorable Harvey Hilderbran, Chair, House Committee on Culture, Recreation, & Tourism

FROM: John S. O'Brien, Deputy Director, Legislative Budget Board

IN RE: HB2027 by Hilderbran (Relating to the discharge of certain firearms in or on the beds or banks of certain rivers and streams in Dimmit, Frio, Uvalde, and Zavala Counties; providing a penalty.), **As Introduced**

No fiscal implication to the State is anticipated.

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Local Government Impact

No significant fiscal implication to units of local government is anticipated.

Source Agencies:

LBB Staff: JOB, WK, DLBa

LEGISLATIVE BUDGET BOARD

Austin, Texas

CRIMINAL JUSTICE IMPACT STATEMENT

79TH LEGISLATIVE REGULAR SESSION

April 19, 2005

TO: Honorable Harvey Hilderbran, Chair, House Committee on Culture, Recreation, & Tourism

FROM: John S. O'Brien, Deputy Director, Legislative Budget Board

IN RE: HB2027 by Hilderbran (Relating to the use of certain weapons in or on the beds or banks of certain rivers and streams in particular counties; providing a penalty.), **Committee Report 1st House, Substituted**

No significant impact on the programs and workload of state corrections agencies or on the demand for resources and services of those agencies is anticipated from any provisions of this bill that authorize or require a change in the sanctions applicable to adults convicted of felony crimes.

Source Agencies:

LBB Staff: JOB, GG

LEGISLATIVE BUDGET BOARD

Austin, Texas

CRIMINAL JUSTICE IMPACT STATEMENT

79TH LEGISLATIVE REGULAR SESSION

March 25, 2005

TO: Honorable Harvey Hilderbran, Chair, House Committee on Culture, Recreation, & Tourism

FROM: John S. O'Brien, Deputy Director, Legislative Budget Board

IN RE: **HB2027** by Hilderbran (Relating to the discharge of certain firearms in or on the beds or banks of certain rivers and streams in Dimmit, Frio, Uvalde, and Zavala Counties; providing a penalty.), **As Introduced**

No significant impact on the programs and workload of state corrections agencies or on the demand for resources and services of those agencies is anticipated from any provisions of this bill that authorize or require a change in the sanctions applicable to adults convicted of felony crimes.

Source Agencies:

LBB Staff: JOB, GG

6

CONFERENCE COMMITTEE REPORT FORM

Austin, Texas

5/28/2005

ADOPTED

Date

MAY 29 2005

by URV

Robert H. Hines
Chief Clerk
House of Representatives

jcc

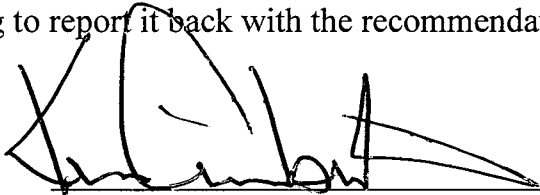
05 MAY 29 PM 0 33
HOUSE CLERK

Honorable David Dewhurst
President of the Senate

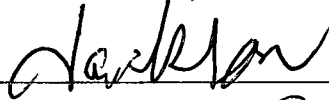
Honorable Tom Craddick
Speaker of the House of Representatives

Sirs:

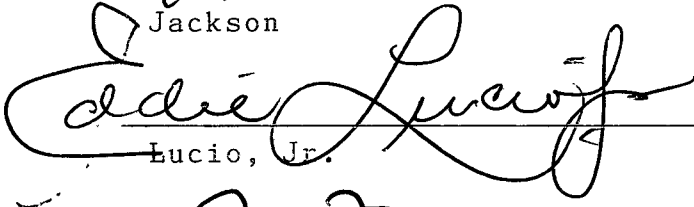
We, Your Conference Committee, appointed to adjust the differences between the Senate and the House of Representatives on H.B. 2027 have had the same under consideration, and beg to report it back with the recommendation that it do pass in the form and text hereto attached.



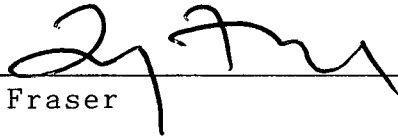
Armbrister, Chair



Jackson

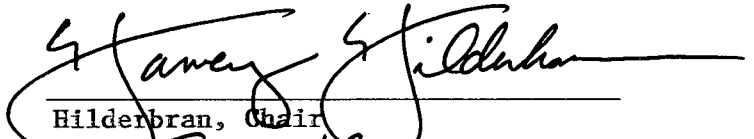


Lucio, Jr.



Fraser

On the part of the Senate
Harris



Hildenbran, Chair



Baxter

Gallego

Kuempel



On the part of the House
Phillips

Note to Conference Committee Clerk:

Please type the names of the members of the Conference Committee under the lines provided for signature. Those members desiring to sign the report should sign each of the six copies. Attach a copy of the Conference Committee Report and a Section by Section side by side comparison to each of the six reporting forms. The original and two copies are filed in house of origin of the bill, and three copies in the other house.

CONFERENCE COMMITTEE REPORT

H.B. No. 2027

A BILL TO BE ENTITLED

AN ACT

relating to the use of certain weapons in or on the beds or banks of certain rivers and streams in particular counties; providing a penalty.

BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF TEXAS:

SECTION 1. Title 7, Parks and Wildlife Code, is amended by adding Chapter 284 to read as follows:

CHAPTER 284. DIMMIT, EDWARDS, FRIO, KENEDY, LLANO, MAVERICK, REAL, UVALDE, AND ZAVALA COUNTIES

Sec. 284.001. DISCHARGE OF FIREARM PROHIBITED. (a) In this section:

(1) "Firearm" has the meaning assigned by Section 62.014.

(2) "Navigable river or stream" has the meaning assigned by Section 90.001.

(b) This section applies only to a navigable river or stream located wholly or partly in Dimmit, Edwards, Frio, Kenedy, Llano, Maverick, Real, Uvalde, or Zavala County.

(c) Except as provided by Subsection (d), a person may not discharge a firearm or shoot an arrow from any kind of bow if:

(1) the person is located in or on the bed or bank of a navigable river or stream at the time the firearm is discharged or the arrow is shot from the bow; or

(2) any portion of the ammunition discharged or arrow

1 shot could physically contact the bed or bank of a navigable river
2 or stream.

3 (d) This section does not apply to:

4 (1) an individual acting in the scope of the
5 individual's duties as a peace officer or department employee; or

6 (2) the discharge of a shotgun loaded with ammunition
7 that releases only shot when discharged.

8 (e) This section does not limit the ability of a license
9 holder to carry a concealed handgun under the authority of
10 Subchapter H, Chapter 411, Government Code.

11 SECTION 2. This Act takes effect September 1, 2005.

House Bill 2027
Conference Committee Report
Section-by-Section Analysis

HOUSE VERSION

SECTION 1. Adds Chapter 284, Parks and Wildlife Code, relating to the prohibition of discharging firearms in or on the bed or banks of certain rivers and streams in Dimmit, Edwards, Frio, Kenedy, Kerr, Kimble, Llano, Mason, Maverick, Real, Uvalde, and Zavala Counties.

SECTION 2. Effective date.

SENATE VERSION

SECTION 1. Same as House version except removes Kimble and Mason Counties from the prohibition.

SECTION 2. Same as House version.

CONFERENCE

SECTION 1. Same as Senate version except also removes Kerr County from the prohibition.

SECTION 2. Same as House version.

LEGISLATIVE BUDGET BOARD

Austin, Texas

FISCAL NOTE, 79TH LEGISLATIVE REGULAR SESSION

May 28, 2005

TO: Honorable David Dewhurst , Lieutenant Governor, Senate
Honorable Tom Craddick, Speaker of the House, House of Representatives

FROM: John S. O'Brien, Deputy Director, Legislative Budget Board

IN RE: HB2027 by Hilderbran (Relating to the use of certain weapons in or on the beds or banks of certain rivers and streams in particular counties; providing a penalty.), **Conference Committee Report**

No fiscal implication to the State is anticipated.

The bill would prohibit the discharge of a firearm or an arrow from any kind of bow in certain locations along a navigable river or stream in Dimmit, Edwards, Frio, Kenedy, Llano, Maverick, Real, Uvalde, and Zavala counties. The prohibitions would not apply to an individual acting within the scope of their duties as a peace officer or department employee or to the discharge of a shotgun loaded with ammunition that releases only shot when discharged.

The bill would take effect September 1, 2005.

Local Government Impact

No significant fiscal implication to units of local government is anticipated.

Source Agencies:

LBB Staff: JOB, ZS, SD, DLBa, WK

CONFERENCE COMMITTEE REPORT FORM

Austin, Texas

RECEIVED
SECRETARY OF SENATE

5 MAY 28 P6:45

5/28/2005

Date

Honorable David Dewhurst
President of the Senate

Honorable Tom Craddick
Speaker of the House of Representatives

ADOPTED

31-0

MAY 29 2005

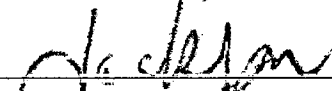
Deputy Spaw
Secretary of the Senate

Sirs:

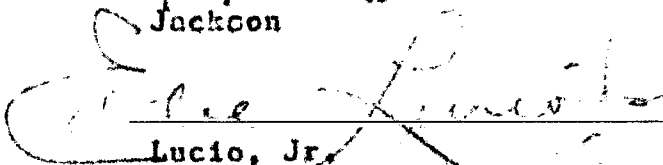
We, Your Conference Committee, appointed to adjust the differences between the Senate and the House of Representatives on H.B. 2027 have had the same under consideration, and beg to report it back with the recommendation that it do pass in the form and text hereto attached.




Arnbristor, Chair



Jackson

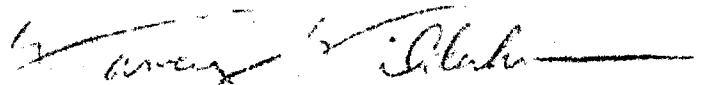


Lucio, Jr.

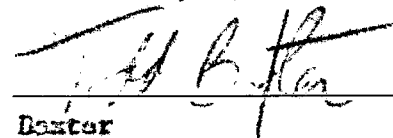


Fracer

On the part of the Senate
Horrio



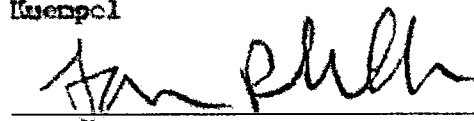
Hilderbran, Chair



Baxter

Gallego

Kuenpelt



On the part of the House
Phillips

Note to Conference Committee Clerk:

Please type the names of the members of the Conference Committee under the lines provided for signature. Those members desiring to sign the report should sign each of the six copies. Attach a copy of the Conference Committee Report and a Section by Section side by side comparison to each of the six reporting forms. The original and two copies are filed in house of origin of the bill, and three copies in the other house.

5/28/2005

6:14pm

CONFERENCE COMMITTEE REPORT FORM

Austin, Texas

5/28/2005

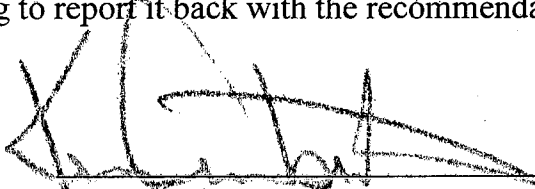
Date

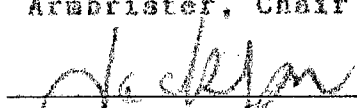
Honorable David Dewhurst
President of the Senate

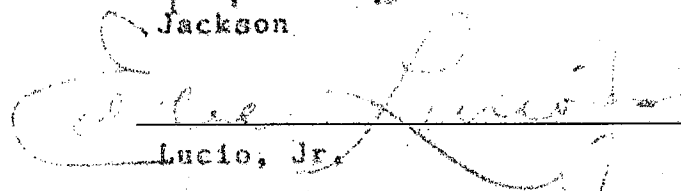
Honorable Tom Craddick
Speaker of the House of Representatives

Sirs:

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R. Armbrister, Chair

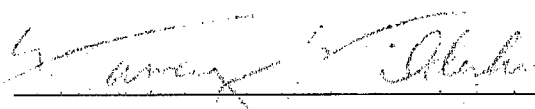

Jackson

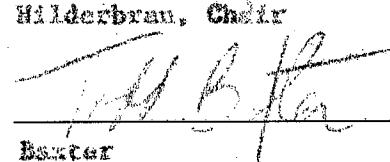

Lucio, Jr.


Fraser

On the part of the Senate

Harris


Hilderbran, Chair


Baxter


Gallego


Kuempel

On the part of the House

Phillips

Note to Conference Committee Clerk:

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5/28/2005

6:14pm

CONFERENCE COMMITTEE REPORT

H.B. No. 2027

A BILL TO BE ENTITLED

AN ACT

relating to the use of certain weapons in or on the beds or banks of certain rivers and streams in particular counties; providing a penalty.

BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF TEXAS:

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(2) "Navigable river or stream" has the meaning assigned by Section 90.001.

(b) This section applies only to a navigable river or stream located wholly or partly in Dimmit, Edwards, Frio, Kenedy, Llano, Maverick, Real, Uvalde, or Zavala County.

(c) Except as provided by Subsection (d), a person may not discharge a firearm or shoot an arrow from any kind of bow if:

(1) the person is located in or on the bed or bank of a navigable river or stream at the time the firearm is discharged or the arrow is shot from the bow; or

(2) any portion of the ammunition discharged or arrow

1 shot could physically contact the bed or bank of a navigable river
2 or stream.

3 (d) This section does not apply to:

4 (1) an individual acting in the scope of the
5 individual's duties as a peace officer or department employee; or

6 (2) the discharge of a shotgun loaded with ammunition
7 that releases only shot when discharged.

8 (e) This section does not limit the ability of a license
9 holder to carry a concealed handgun under the authority of
10 Subchapter H, Chapter 411, Government Code.

11 SECTION 2. This Act takes effect September 1, 2005.

House Bill 2027
Conference Committee Report
Section-by-Section Analysis

HOUSE VERSION

SECTION 1. Adds Chapter 284, Parks and Wildlife Code, relating to the prohibition of discharging firearms in or on the bed or banks of certain rivers and streams in Dimmit, Edwards, Frio, Kenedy, Kerr, Kimble, Llano, Mason, Maverick, Real, Uvalde, and Zavala Counties.

SECTION 2. Effective date.

SENATE VERSION

SECTION 1. Same as House version except removes Kimble and Mason Counties from the prohibition.

SECTION 2. Same as House version.

CONFERENCE

SECTION 1. Same as Senate version except also removes Kerr County from the prohibition.

SECTION 2. Same as House version.

CONFERENCE COMMITTEE REPORT FORM

Austin, Texas

5/28/2005

Date

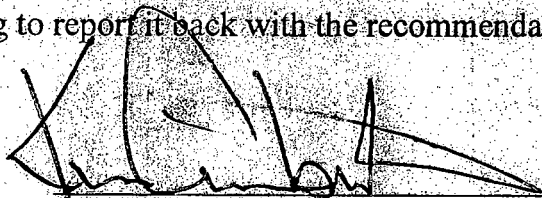
05 MAY 28 PM 9:38

Honorable David Dewhurst
President of the Senate

Honorable Tom Craddick
Speaker of the House of Representatives

Sirs:

We, Your Conference Committee, appointed to adjust the differences between the Senate and the House of Representatives on H.B. 2027 have had the same under consideration, and beg to report it back with the recommendation that it do pass in the form and text hereto attached.


Armbrister, Chair


Jackson


Lucio, Jr.


Fraser

On the part of the Senate

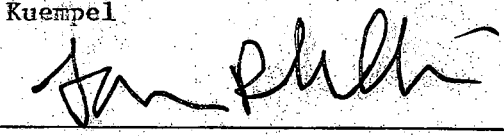
Harris


Hilderbran, Chair


Baxter

Gallego

Kuempel


On the part of the House
Phillips

Note to Conference Committee Clerk:

Please type the names of the members of the Conference Committee under the lines provided for signature. Those members desiring to sign the report should sign each of the six copies. Attach a copy of the Conference Committee Report and a Section by Section side by side comparison to each of the six reporting forms. The original and two copies are filed in house of origin of the bill, and three copies in the other house.

CONFERENCE COMMITTEE REPORT

3rd Printing

H.B. No. 2027

A BILL TO BE ENTITLED

AN ACT

relating to the use of certain weapons in or on the beds or banks of certain rivers and streams in particular counties; providing a penalty.

BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF TEXAS:

SECTION 1. Title 7, Parks and Wildlife Code, is amended by adding Chapter 284 to read as follows:

CHAPTER 284. DIMMIT, EDWARDS, FRIO, KENEDY, LLANO, MAVERICK, REAL, UVALDE, AND ZAVALA COUNTIES

Sec. 284.001. DISCHARGE OF FIREARM PROHIBITED. (a) In this section:

(1) "Firearm" has the meaning assigned by Section 62.014.

(2) "Navigable river or stream" has the meaning assigned by Section 90.001.

(b) This section applies only to a navigable river or stream located wholly or partly in Dimmit, Edwards, Frio, Kenedy, Llano, Maverick, Real, Uvalde, or Zavala County.

(c) Except as provided by Subsection (d), a person may not discharge a firearm or shoot an arrow from any kind of bow if:

(1) the person is located in or on the bed or bank of a navigable river or stream at the time the firearm is discharged or the arrow is shot from the bow; or

(2) any portion of the ammunition discharged or arrow

1 shot could physically contact the bed or bank of a navigable river
2 or stream.

3 (d) This section does not apply to:

4 (1) an individual acting in the scope of the
5 individual's duties as a peace officer or department employee; or

6 (2) the discharge of a shotgun loaded with ammunition
7 that releases only shot when discharged.

8 (e) This section does not limit the ability of a license
9 holder to carry a concealed handgun under the authority of
10 Subchapter H, Chapter 411, Government Code.

11 SECTION 2. This Act takes effect September 1, 2005.

House Bill 2027
Conference Committee Report
Section-by-Section Analysis

HOUSE VERSION

SECTION 1. Adds Chapter 284, Parks and Wildlife Code, relating to the prohibition of discharging firearms in or on the bed or banks of certain rivers and streams in Dimmit, Edwards, Frio, Kenedy, Kerr, Kimble, Llano, Mason, Maverick, Real, Uvalde, and Zavala Counties.

SECTION 2. Effective date.

SENATE VERSION

SECTION 1. Same as House version except removes Kimble and Mason Counties from the prohibition.

SECTION 2. Same as House version.

CONFERENCE

SECTION 1. Same as Senate version except also removes Kerr County from the prohibition.

SECTION 2. Same as House version.

ENROLLED

H.B. No. 2027

AN ACT

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5 individual's duties as a peace officer or department employee; or

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7 that releases only shot when discharged.

8 (e) This section does not limit the ability of a license
9 holder to carry a concealed handgun under the authority of
10 Subchapter H, Chapter 411, Government Code.

11 SECTION 2. This Act takes effect September 1, 2005.

H.B. No. 2027

President of the Senate

Speaker of the House

I certify that H.B. No. 2027 was passed by the House on April 29, 2005, by a non-record vote; that the House refused to concur in Senate amendments to H.B. No. 2027 on May 27, 2005, and requested the appointment of a conference committee to consider the differences between the two houses; and that the House adopted the conference committee report on H.B. No. 2027 on May 29, 2005, by a non-record vote.

Chief Clerk of the House

H.B. No. 2027

I certify that H.B. No. 2027 was passed by the Senate, with amendments, on May 25, 2005, by the following vote: Yeas 31, Nays 0; at the request of the House, the Senate appointed a conference committee to consider the differences between the two houses; and that the Senate adopted the conference committee report on H.B. No. 2027 on May 29, 2005, by the following vote: Yeas 31, Nays 0.

Secretary of the Senate

APPROVED: _____

Date

Governor

President of the Senate

Speaker of the House

I certify that H.B. No. 2027[✓] was passed by the House on
(1)

April 29[✓], 2005, by a non-record vote; that the
(2)

House refused to concur in Senate amendments to H.B. No. 2027 on
May 27[✓], 2005, and requested the appointment
(3)

of a conference committee to consider the differences between the
two houses; and that the House adopted the conference committee report
on H.B. No. 2027 on May 29[✓], 2005, by a
(4)

non-record vote.

Chief Clerk of the House

**** Preparation: CT41

I certify that H.B. No. 2027[✓] was passed by the Senate, with
(1)

amendments, on May 25[✓], 2005, by the following
(2)

vote: Yeas 31[✓], Nays 0[✓]
(3) (4)

at the request of the House, the Senate appointed a conference
committee to consider the differences between the two houses;
and that the Senate adopted the conference committee report on
H.B. No. 2027 on May 29[✓], 2005, by the following vote:
(5)

Yeas 31[✓], Nays 0[✓]
(6) (7)

Secretary of the Senate

APPROVED:

Date

Governor

**** Preparation: CT44

H.B. No. 8027

A BILL TO BE ENTITLED
AN ACT

By

relating to the discharge of certain firearms in or on the beds or banks of certain rivers and streams in Dimmit, Frio, Uvalde, and Zavala Counties; providing a penalty.

MAR 04 2005

Filed with the Chief Clerk

MAR 14 2005

Read first time and referred to Committee on Culture, Recreation, and Tourism

APR 12 2005

Reported favorably ~~(as amended)~~
(as substituted)

APR 20 2005

Sent to Committee on ~~Calendars~~
(Local & Consent Calendars)

APR 29 2005

Read second time (comm. subst.) ~~(amended)~~; passed to third reading ~~(failed)~~ by a (non-record vote)
(~~record vote~~ yeas, nays ~~present, not voting~~)

Constitutional rule requiring bills to be read on three several days suspended (failed to suspend)
by a vote of yeas, nays, present, not voting

APR 29 2005

Read third time ~~(amended)~~; finally passed ~~(failed)~~ by a (non-record vote)
(~~record vote~~ yeas, nays ~~present, not voting~~)

Engrossed

MAY 02 2005

Sent to Senate

CHIEF CLERK OF THE HOUSE

OTHER HOUSE ACTION:

MAY 02 2005

Received from the House

MAY 03 2005

Read and referred to Committee on NATURAL RESOURCES

Reported favorably

MAY 17 2005

Reported adversely, with favorable Committee Substitute; Committee Substitute read first time

Ordered not printed

MAY 25 2005

Laid before the Senate

Senate and Constitutional Rules to permit consideration suspended by (unanimous consent)
(yeas, nays)

MAY 25 2005

Read second time, yeas, nays, and passed to third reading by (unanimous consent)
(a viva voce vote)
(yeas, nays)

MAY 25 2005

Senate and Constitutional 3 Day Rules suspended by a vote of 31 yeas, 0 nays

MAY 25 2005

Read third time, yeas, nays, and passed by a (viva voce vote)
(31 yeas, 0 nays)

MAY 25 2005

Returned to the House

SECRETARY OF THE SENATE

OTHER SENATE ACTION:

MAY 25 2005

Returned from the Senate (as substituted)

MAY 27 2005

House concurred in Senate amendments by a (non-record vote)

(record vote of _____ yeas, _____ nays, _____ present, not voting)

MAY 27 2005

House refused to concur in Senate amendments and requested the appointment of a conference committee by a (non-record vote) (record vote of _____ yeas, _____ nays, _____ present, not voting)

House conferees appointed: Hilderbran, Chair; Kumpel,
Baxter, Gallego, Phillips

MAY 28 2005

Senate granted House request. Senate conferees appointed: Armbrister, Chair;

Fraser, Harris, Jackson, Mike, Lucio

MAY 29 2005

Conference committee report adopted (~~rejected~~) by the House by a (non-record vote)

(record vote of _____ yeas, _____ nays, _____ present, not voting)

MAY 29 2005

Conference committee report adopted (~~rejected~~) by the Senate by a (~~viva voce vote~~)

(record vote of 31 yeas, 0 nays)

05 MAY 28 PM 12:33

HOUSE OF REPRESENTATIVES

05 APR 19 PM 11:07

HOUSE OF REPRESENTATIVES